

2625  
SFM

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/005643-Conf. #8242
	Filing Date	December 5, 2001
	First Named Inventor	Fred G. Benkley, III
	Art Unit	2625
	Examiner Name	A. W. Carter
Total Number of Pages in This Submission	Attorney Docket Number	M1059.70000US00

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>Return Receipt Postcard</b>
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement & 8 cited documents	<input type="checkbox"/> CD, Number of CD(s) _____	<b>Check in the amount of \$180.00</b>
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	WOLF, GREENFIELD & SACKS, P.C.		
Signature	<i>William R. McClellan</i>		
Printed name	William R. McClellan		
Date	March 21, 2006	Reg. No.	29,409

**Certificate of Mailing Under 37 CFR 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 21, 2006

Signature:

*Doris A. Champagne*

(Doris A. Champagne)



DOCKET NO.: M1059.70000US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fred G. Benkley, III  
Serial No.: 10/005,643  
Confirmation No.: 8242  
Filed: December 5, 2001  
For: SWIPED APERTURE CAPACITIVE FINGERPRINT SENSING  
SYSTEMS AND METHODS  
Examiner: Aaron W. Carter  
Art Unit: 2625

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 21st day of March, 2006.

*Doris A. Champagne*  
Doris A. Champagne

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Supplemental Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Supplemental Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant would like to bring to the Examiner's attention the enclosed Search Report and Written Opinion from International Application No. PCT/US2005/035504 mailed January 30, 2006.

1003337.1

03/24/2006 EAREGAY1 00000015 10005643

01 FC:1806

180.00 0P

PART III: Remarks

Documents cited anywhere in the Supplemental Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

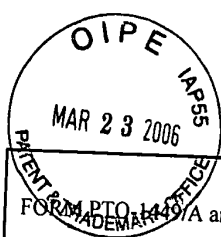
Respectfully submitted,

By:

William R. McClellan

William R. McClellan, Reg. No. 29,409  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: M1059.70000US00  
Date: March 21, 2006  
xNDDx



PTO 1449A and B (modified PTO/SB/08)  
FORM DEMAR 49A

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 1 of 1

APPLICATION NO.: 10/005,643

ATTY. DOCKET NO.: M1059.70000US00

FILING DATE: December 5, 2001

CONFIRMATION NO.: 8242

APPLICANT: Fred G. Benkley, III

GROUP ART UNIT: 2625

EXAMINER: Aaron W. Carter

## U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		6,347,040	B1	Fries et al.	
		2003/035570	A1	Benkley, III	02-12-2002
		2003/161512	A1	Mathiassen et al.	02-20-2003
		2003/224553	A1	Manansala	08-28-2003
					12-04-2003

## FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		WO	03/075210	A2	IDEX ASA	09-12-2003	N/A
		WO	04/066194	A1	Nokia Corporation	08-05-2004	N/A
		WO	04/066693	A1	Nokia Corporation	08-05-2004	N/A

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		International Search Report and Written Opinion mailed January 30, 2006 for Application No. PCT/US2005/035504	

EXAMINER:

DATE CONSIDERED:

# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE — No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]